

INTERNATIONAL SEARCH REPORT

National Application No

EP2004/011782

A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 A61F2/44 A61B17/70 A61F2/30 A61B17/86

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 A61F

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 99/65425 A (SURGICAL DYNAMICS, INC) 23 December 1999 (1999-12-23) figures page 5, line 14 - page 8, line 9 page 9, line 15 - page 10, line 19	1-18
Y	-----	20
X	US 5 423 816 A (LIN ET AL) 13 June 1995 (1995-06-13) figures column 2, line 28 - column 4, line 24	1-8, 11, 12, 16-18
A	-----	10, 13, 14
X	US 5 423 817 A (LIN ET AL) 13 June 1995 (1995-06-13) figure 1 column 2, line 30 - column 3, line 22	1-8, 11, 12, 16-18
A	-----	13, 14
	----- -/-	

☒ Further documents are listed in the continuation of box C.☒ Patent family members are listed in annex.

* Special categories of cited documents:

A document defining the general state of the art which is not considered to be of particular relevance

E earlier document but published on or after the international filing date

L document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

O document referring to an oral disclosure, use, exhibition or other means

P document published prior to the international filing date but later than the priority date claimed

T later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

X document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

Y document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

G document member of the same patent family

Date of the actual completion of the international search

29 April 2005

Date of mailing of the international search report

18 05. 2005

Name and mailing address of the ISA

European Patent Office, P.B. 5818 Patentlaan 2
NL - 2280 HV Rijswijk
Tel (+31-70) 340-2040, Tx. 31 651 epo nl,
Fax (+31-70) 340-3016

Authorized officer

Stach, R

INTERNATIONAL SEARCH REPORT

International Application No

... /EP2004/011782

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT		
Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	EP 0 950 389 A (AESCULAP AG & CO. KG) 20 October 1999 (1999-10-20) figures paragraphs '0042! - '0045!	1-8,11, 16
A	----- A	13,14
A	EP 1 273 276 A (FEHLING INSTRUMENTS GMBH) 8 January 2003 (2003-01-08) figure 1 paragraphs '0015!, '0016!, '0021!, '0022!	1,3,5-8, 10-15
A	----- A	1,3,9
A	EP 0 529 275 A (MAN CERAMICS GMBH) 3 March 1993 (1993-03-03) figures column 2, line 30 - column 4, line 13	
A	----- A	
X	WO 95/19153 A (BEER, JOHN, C; BEER, JACQUELINE, M) 20 July 1995 (1995-07-20)	
X	----- X	1-8, 10-18
X	WO 03/047442 A (MATHYS MEDIZINALTECHNIK AG; STUDER, ARMIN; FRIGG, ROBERT) 12 June 2003 (2003-06-12) figures page 9, paragraph 7 - page 10, paragraph 1	
X	----- X	1-5, 8-13, 15-19, 21,22
X	FR 2 717 370 A (MOREAU PATRICE; ELBERG JEAN FRANCOIS) 22 September 1995 (1995-09-22) claims 1,2; figure 5 page 6, line 6 - page 8, line 9	
X	----- X	1-8,11, 16,17
A	US 2003/191470 A1 (RITLAND STEPHEN) 9 October 2003 (2003-10-09) claim 1; figures 3-10 paragraphs '0062! - '0065!	
A	----- A	12
X	FR 2 634 371 A (FLEGEAU GERARD) 26 January 1990 (1990-01-26) figures 1-3,9 page 6, line 2 - line 30	1-8,12, 19,21,22
Y	----- Y	20
A	US 6 402 750 B1 (ATKINSON ROBERT E ET AL) 11 June 2002 (2002-06-11)	
P,X	----- P,X	1-5,8, 10,11
	US 2003/220643 A1 (FERREE BRET A) 27 November 2003 (2003-11-27) figures 6a-6d,9a,9b paragraphs '0006!, '0007!, '0029!, '0032!	
	----- -/--	

INTERNATIONAL SEARCH REPORT

national Application No

T/EP2004/011782

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT		
Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
E	WO 2004/105577 A (GLOBUS MEDICAL; DAVID, C., PAUL; ANDREW, LEE) 9 December 2004 (2004-12-09) claims 1,2,4,6-10; figures 26-29 page 20, line 18 - page 25, line 28 -----	1-9, 11, 12, 17-22

INTERNATIONAL SEARCH REPORT

International application No.
PCT/EP2004/011782

Box II Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☐ Claims Nos.:
because they relate to subject matter not required to be searched by this Authority, namely:
2. ☐ Claims Nos.:
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
3. ☐ Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box III Observations where unity of invention is lacking (Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

see additional sheet

1. ☒ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

- ☒ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

This International Searching Authority found multiple (groups of) inventions in this international application, as follows:

1. claims: 1-10, 11-18 in part

Implant for temporary or permanent introduction into a human or animal body of at least one biocompatible material with a shape that is oriented to fulfill one or more first functions, wherein the shape has one or more areas (1, 18) in which, as second function, elasticity or mobility is provided, with the implant having material recesses (7, 19) in the area or areas which serve to locally reduce rigidity and are provided in addition to the shape caused by the first functions

wherein the implant is a space holder (10) for vertebrae and/or intervertebral discs with space holder and weight-transfer function as first functions, and the tube-like body (1) is surrounded by a sleeve consisting of an elastic biocompatible material.

2. claims: 11-18 in part, 19-22

Implant for temporary or permanent introduction into a human or animal body of at least one biocompatible material with a shape that is oriented to fulfill one or more first functions, wherein the shape has one or more areas in which, as second function, elasticity or mobility is provided, with the implant having material recesses in the area or areas which serve to locally reduce rigidity and are provided in addition to the shape caused by the first functions, wherein the implant is a connection rod (20) for pedicle screw arrangements with supporting and connection function as first functions, with especially a system of space holders and pedicle screw connection being provided.

INTERNATIONAL SEARCH REPORT

Information on patent family members

national Application No

T/EP2004/011782

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
WO 9965425	A	23-12-1999	US 6296664 B1 AU 5082799 A DE 69917634 D1 DE 69917634 T2 EP 1087732 A2 JP 2002518090 T WO 9965425 A2 US 2004176842 A1 US 2001051829 A1	02-10-2001 05-01-2000 01-07-2004 24-02-2005 04-04-2001 25-06-2002 23-12-1999 09-09-2004 13-12-2001
US 5423816	A	13-06-1995	NONE	
US 5423817	A	13-06-1995	NONE	
EP 0950389	A	20-10-1999	DE 19816828 A1 DE 29806830 U1 EP 0950389 A2	28-10-1999 02-07-1998 20-10-1999
EP 1273276	A	08-01-2003	DE 10132588 A1 EP 1273276 A2 JP 2003024353 A US 2003009223 A1	23-01-2003 08-01-2003 28-01-2003 09-01-2003
EP 0529275	A	03-03-1993	DE 4128332 A1 CA 2075782 A1 DE 59201829 D1 EP 0529275 A2 US 5306310 A	04-03-1993 28-02-1993 11-05-1995 03-03-1993 26-04-1994
WO 9519153	A	20-07-1995	US 5458642 A WO 9519153 A1	17-10-1995 20-07-1995
WO 03047442	A	12-06-2003	WO 03047441 A1 AU 2002218099 A1 AU 2002242566 A1 BR 0117188 A BR 0214584 A CA 2469005 A1 CA 2469008 A1 WO 03047442 A1 CZ 20040691 A3 EP 1450707 A1 EP 1450708 A1 NZ 533300 A NZ 533301 A US 2005056979 A1 US 2005065514 A1	12-06-2003 17-06-2003 17-06-2003 09-11-2004 03-11-2004 12-06-2003 12-06-2003 12-06-2003 16-02-2005 01-09-2004 01-09-2004 25-02-2005 24-03-2005 17-03-2005 24-03-2005
FR 2717370	A	22-09-1995	FR 2717370 A1 EP 0677277 A2	22-09-1995 18-10-1995
US 2003191470	A1	09-10-2003	WO 2004089244 A2	21-10-2004
FR 2634371	A	26-01-1990	FR 2634371 A1	26-01-1990
US 6402750	B1	11-06-2002	US 2002095154 A1 US 2003187445 A1 US 2005049592 A1	18-07-2002 02-10-2003 03-03-2005

INTERNATIONAL SEARCH REPORT

Information on patent family members

national Application No

T/EP2004/011782

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
US 6402750	B1	US 2005049708 A1	03-03-2005
US 2003220643	A1	27-11-2003	NONE
WO 2004105577	A	09-12-2004	US 2004236327 A1 25-11-2004
			US 2004236328 A1 25-11-2004
			WO 2004105577 A2 09-12-2004